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7 HOMEWARD RESIDENTIAL, INC.,
8 Plaintiff,
9 v.
10 SAND CANYON CORPORATION,
11 Defendant.

Case No. 15-mc-80287-DMR

**ORDER GRANTING THE REQUEST
OF THE PARTIES AND MR. SAMPATH
TO TRANSFER SUBPOENA-RELATED
MOTION TO ISSUING COURT**

Re: Dkt. No. 6

12 The parties and third-party Mr. Athreya Sampath have filed a joint discovery letter [Docket
13 No. 6] requesting that the court transfer Plaintiff's and Mr. Sampath's Motion to Quash
14 Defendant's deposition subpoena to Mr. Athreya Sampath to the issuing court, the United States
15 District Court for the Southern District of New York, pursuant to Federal Rule of Civil Procedure
16 45(f). Federal Rule of Civil Procedure 45(f) provides that "[w]hen the court where compliance is
17 required did not issue the subpoena, it may transfer a motion under this rule to the issuing court if
18 the person subject to the subpoena consents." Mr. Sampath, the subject of the subpoena, and all
19 parties to the litigation have consented to and requested the transfer of the motion to quash from
20 this court to the issuing court.

21 The request of the parties and Mr. Sampath is granted. Sand Canyon's and Mr. Sampath's
22 Motion to Quash Homeward's deposition subpoena is hereby transferred to the United States
23 District Court for the Southern District of New York pursuant to Federal Rule of Civil Procedure
24 45(f). To accomplish this transfer, Plaintiff and Mr. Sampath are directed to file their Motion to
25 Quash the Subpoena to Mr. Sampath in the existing underlying case in the United States District
26 Court for the Southern District of New York. The clerk is hereby ordered to close this case.

1 **IT IS SO ORDERED.**
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3 Dated: December 11, 2015
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Donna M. Ryu
United States Magistrate Judge